

all disputed cases of commencing his, her or their suit, originally in the county court, general court, or high court of chancery, according to the known and established jurisdiction of such court respectively.

C H. A P.  
VIII.

XI. And be it enacted, That it shall and may be lawful for all and every person or persons, who think themselves aggrieved by such decree or judgment, to appeal therefrom, within sixty days after the award or rendition thereof, to the general court, or chancellor of this state, at his or their election; provided that bond be given with good security to prosecute the said appeal with effect, within thirty days after the appeal entered, and to pay such costs and damages as shall be adjudged on the hearing such appeal, or attachment or execution may issue as if no such appeal had been made.

Persons aggrieved may appeal, &c.

XII. And be it enacted, That if any person, having a mansion house, or place of known residence and abode, within this state, shall depart this life, and shall have disposed of his or her estate, or any part thereof, by will, such will shall be proved in the orphans court of that county where such mansion house, or place of residence or abode, shall have been; and if such person shall not have had any mansion house, or place of residence or abode, as aforesaid, and shall have devised any lands by his will in writing, then such will shall be proved in the orphans court of that county wherein such lands shall lie; and if such person shall by such will have devised lands lying in several counties, and shall die in any of those counties, then the will shall be proved in the orphans court of that county wherein he or she shall happen to die; and if such person, devising lands as aforesaid, shall die in another county than where any of his or her lands shall lie, then the proof of such will shall be made in the orphans court of some one of the counties where such lands shall lie, and not in any other county: And the proof of any will once well and sufficiently made in any county, as is above directed, shall be, and is hereby declared to be, of the same force and effect as if the same had been proved in every county where any land or other estate shall lie: And where any person, having no mansion house, or place of known residence or abode, nor any lands within this state, shall die, having made his will of personal chattels, such will shall be proved in the county where he shall die, or in the county where the greatest part of his estate doth lie.

In what county wills of deceased persons are to be proved.

XIII. And be it enacted, That if any person, having a mansion house, or other known place of residence or abode, within this state, shall die intestate, in such case, the orphans court of that county where such mansion house, or place of residence or abode, shall be, and not any other county court, shall have full power and authority to hear and determine the right of administration upon the estate of such intestate, and to grant letters of administration thereon: And if such person dying intestate, shall not have had any mansion house, or place of residence or abode, then administration shall be granted by the orphans court of that county wherein such person shall have died, or where he or she may have the greatest part of his or her estate, and not in any other county.

In what county letters on intestates estates are to be granted.

XIV. And be it enacted, That letters testamentary, or letters of administration, granted pursuant to and in manner prescribed by this act, shall empower and enable the executor and executors, administrator and administrators, therein named and appointed, to sue for, recover and receive, by all lawful ways and means, all and singular the goods and chattels, real and personal, and all and every the debts, or other estate, of their and every of their testator or intestate, within any of the counties of this state, in like manner as they might or could do within the county where such probate is made or letters of administration granted respectively, any law or usage to the contrary notwithstanding.

Letters testamentary, &c. granted, shall entitle executors, &c. to recover goods, &c.

XV. And be it enacted, That where the executor or executors, and every of them, shall die or refuse to execute the will of the deceased, in such case the orphans court where probate of the will is made, shall grant letters of administration, with copy of the will annexed, to such person as may have right thereto by virtue of the laws of this state.

Executors dying, &c. letters of administration, &c. to be granted.

XVI. And